

20995

## United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Dox 1450 Alexandia, Vigania 22313-1450 www.usplu.gov

APPLICATION NUMBER

2040 MAIN STREET

**FOURTEENTH FLOOR IRVINE, CA 92614** 

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/630,230

07/30/2003

Ronald F. Englhard

HAYESPR.035A

**CONFIRMATION NO. 8289** 

**FORMALITIES LETTER** 

\*OC000000011102373\*

Date Mailed: 10/27/2003

# NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

#### Filing Date Granted

### **Items Required To Avoid Abandonment:**

KNOBBE MARTENS OLSON & BEAR LLP

An application number and filing date have been accorded to this application. The item(s) indicated below. however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 385 to complete the basic filing fee for a small entity.
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

### **Items Required To Avoid Processing Delays:**

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

• Additional claim fees of \$453 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

#### **SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is \$903 for a Small Entity

\$385 Statutory basic filing fee.

• \$65 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is \$453
  - \$243 for 27 total claims over 20.

■ \$210 for 5 independent claims over 3.

Replies should be mailed to: Mail Stop Missing Parts

**Commissioner for Patents** 

P.O. Box 1450

Alexandria VA 22313-1450

A copy of this notice <u>MUST</u> be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 3 - OFFICE COPY

Effective OCTOBER 1, 2003, Patent Fees will be adjusted. Please note that fee amounts required by the enclosed Notice might reflect the fees due on the date of filing. Any fee paid on or after OCTOBER 1, 2003 is subject to the new FY 2004 fee schedule and must be paid in the new amount.

See	EXAMPLES OF FEES BEING ADJUSTED		* Indicates
Basic filing fee - Utility   \$750   \$770   \$750   \$770   \$750	See www.uspto.gov for complete FY 2003		
DESCRIPTION         FY 2003         FY 2004           Basic filing fee - Utility (Small Entity)         \$750         \$770           Basic filing fee - Utility (Small Entity)         \$355         \$357           Independent claims in excess of three         \$84         \$86           ndependent claims in excess of twenty         \$18         \$18*           Claims in excess of twenty (Small Entity)         \$9         \$9*           Multiple dependent claim         \$280         \$290           Multiple dependent claim (Small Entity)         \$140         \$145           Surcharge - Late filing fee         \$130         \$130           Surcharge - Late filing fee (Small Entity)         \$65         \$65           Design filing fee (Small Entity)         \$165         \$170           Plant filing fee (Small Entity)         \$260         \$250           Plant filing fee (Small Entity)         \$260         \$250           Reissue filing fee (Small Entity)         \$375         \$385           Reissue independent claims         \$84         \$86           Reissue independent claims (Small Entity)         \$375         \$385           Reissue claims in excess of twenty         \$18         \$18*           Reissue claims in excess of twenty (Small Entity)         \$9			at FY 2003
Basic filing fee - Utility (Small Entity)         \$375         \$385           Independent claims in excess of three         \$84         \$86           ndependent claims in excess of three (Small Entity)         \$42         \$43           Claims in excess of twenty         \$18         \$18*           Claims in excess of twenty (Small Entity)         \$9         \$9*           Multiple dependent claim (Small Entity)         \$140         \$145           Surcharge - Late filing fee         \$130         \$130           Surcharge - Late filing fee (Small Entity)         \$65         \$65           Design filling fee         \$330         \$340           Design filling fee (Small Entity)         \$65         \$65           Design filling fee (Small Entity)         \$260         \$265           Plant filing fee (Small Entity)         \$260         \$265           Reissue filing fee (Small Entity)         \$260         \$265           Reissue filing fee (Small Entity)         \$375         \$335           Reissue independent claims (Small Entity)         \$42         \$43           Reissue claims in excess of twenty         \$18         \$18*           Reissue claims in excess of twenty (Small Entity)         \$9         \$9*           Provisional application filing fee (Small Entity)			
Basic filling fee - Utility (Small Entity)         \$375         \$385           Independent claims in excess of three         \$84         \$86           ndependent claims in excess of three         \$42         \$43           Claims in excess of twenty         \$18         \$18*           Claims in excess of twenty (Small Entity)         \$9         \$9°           Multiple dependent claim (Small Entity)         \$140         \$280           Multiple dependent claim (Small Entity)         \$140         \$145           Surcharge - Late filing fee         \$130         \$130           Surcharge - Late filing fee (Small Entity)         \$65         \$65           Design filing fee         \$330         \$340           Design filing fee (Small Entity)         \$165         \$170           Plant filing fee         \$520         \$265           Reissue filing fee         \$750         \$770           Reissue independent claims         \$84         \$86           Reissue independent claims (Small Entity)         \$375         \$385           Reissue claims in excess of twenty         \$18         \$18°           Reissue claims in excess of twenty (Small Entity)         \$9         \$9°           Provisional application filing fee (Small Entity)         \$8         \$9°			
Independent claims in excess of three         \$84         \$86           ndependent claims in excess of three (Small Entity)         \$42         \$43           Claims in excess of twenty         \$18         \$18*           Claims in excess of twenty (Small Entity)         \$9         \$9*           Multiple dependent claim         \$280         \$290           Multiple dependent claim (Small Entity)         \$140         \$145           Surcharge - Late filling fee         \$130         \$130           Surcharge - Late filling fee (Small Entity)         \$65         \$65           Surcharge - Late filling fee (Small Entity)         \$165         \$170           Pesign filling fee (Small Entity)         \$165         \$170           Plant filing fee (Small Entity)         \$260         \$253           Plant filing fee (Small Entity)         \$260         \$250           Reissue filling fee (Small Entity)         \$260         \$250           Reissue filling fee (Small Entity)         \$375         \$385           Reissue independent claims (Small Entity)         \$42         \$43           Reissue claims in excess of twenty (Small Entity)         \$42         \$43           Reissue claims in excess of twenty (Small Entity)         \$9         \$9*           Provisional application filli	·		\$770
Independent claims in excess of three (Small Entity)         \$42         \$43           Claims in excess of twenty         \$18         \$18*           Claims in excess of twenty (Small Entity)         \$9         \$9*           Multiple dependent claim         \$280         \$290           Multiple dependent claim (Small Entity)         \$140         \$145           Surcharge - Late filling fee         \$130         \$130           Surcharge - Late filling fee (Small Entity)         \$65         \$65           Design filling fee         \$330         \$340           Design filling fee (Small Entity)         \$165         \$170           Plant filing fee (Small Entity)         \$260         \$265           Reissue filling fee (Small Entity)         \$260         \$265           Reissue filling fee (Small Entity)         \$375         \$385           Reissue independent claims (Small Entity)         \$42         \$43           Reissue claims in excess of twenty         \$18         \$18*           Reissue claims in excess of twenty (Small Entity)         \$9         \$9±           Provisional application filing fee         \$160         \$160*           Provisional application filing fee (Small Entity)         \$80         \$80*           Surcharge - Late provisional filing fee (Small En	· · · · · · · · · · · · · · · · · · ·	•	
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Reissue filing fee       \$750       \$770         Reissue filing fee (Small Entity)       \$375       \$385         Reissue independent claims       \$84       \$86         Reissue independent claims (Small Entity)       \$42       \$43         Reissue claims in excess of twenty       \$18       \$18*         Reissue claims in excess of twenty (Small Entity)       \$9       \$9*         Provisional application filing fee       \$160       \$160*         Provisional application filing fee (Small Entity)       \$80       \$80*         Surcharge - Late provisional filing fee (Small Entity)       \$25       \$25*         Surcharge - Late provisional filing fee (Small Entity)       \$25       \$25*         Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month (Small Entity)       \$205       \$210         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month (Small Entity)       \$985       \$1,005         Extension - Fifth month (Small Entity)       \$985       \$1,005	Plant filing fee	\$520	\$530
Reissue filing fee (Small Entity)       \$375       \$385         Reissue independent claims       \$84       \$86         Reissue independent claims (Small Entity)       \$42       \$43         Reissue claims in excess of twenty       \$18       \$18*         Reissue claims in excess of twenty (Small Entity)       \$9       \$9*         Provisional application filing fee       \$160       \$160*         Provisional application filing fee (Small Entity)       \$80       \$80*         Surcharge - Late provisional filing fee (Small Entity)       \$25       \$50*         Surcharge - Late provisional filing fee (Small Entity)       \$25       \$25*         Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month (Small Entity)       \$205       \$210         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Plant filing fee Small Entity)		\$265
Reissue independent claims       \$84       \$86         Reissue independent claims (Small Entity)       \$42       \$43         Reissue claims in excess of twenty       \$18       \$18*         Reissue claims in excess of twenty (Small Entity)       \$9       \$9*         Provisional application filling fee       \$160       \$160*         Provisional application filling fee       \$160       \$80*         Surcharge - Late provisional filling fee (Small Entity)       \$80       \$80*         Surcharge - Late provisional filling fee (Small Entity)       \$25       \$25*         Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month (Small Entity)       \$420       \$20         Extension - Second month (Small Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Reissue filing fee	\$750	\$770
Reissue independent claims (Small Entity)       \$42       \$43         Reissue claims in excess of twenty       \$18       \$18*         Reissue claims in excess of twenty (Small Entity)       \$9       \$9*         Provisional application filing fee       \$160       \$160*         Provisional application filing fee       \$160       \$160*         Provisional application filing fee (Small Entity)       \$80       \$80*         Surcharge - Late provisional filing fee       \$50       \$50*         Surcharge - Late provisional filing fee (Small Entity)       \$25       \$25*         Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month       \$410       \$420         Extension - Second month (Small Entity)       \$205       \$210         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Reissue filing fee (Small Entity)	\$375	\$385
Reissue claims in excess of twenty Reissue claims in excess of twenty (Small Entity) Provisional application filing fee Provisional application filing fee (Small Entity) Surcharge - Late provisional filing fee Surcharge - Late provisional filing fee (Small Entity) Surcharge - Late prov	Reissue independent claims	\$84	\$86
Reissue claims in excess of twenty (Small Entity)  Provisional application filing fee Provisional application filing fee (Small Entity)  Surcharge - Late provisional filing fee Surcharge - Late provisional filing fee (Small Entity)  Surcharge - Late provisional filing fee (Small Entity)  Non-English Specification  Extension - First month  Extension - First month (Small Entity)  Extension - Second month  Extension - Second month (Small Entity)  Extension - Second month (Small Entity)  Extension - Third month  Extension - Third month (Small Entity)  Extension - Fourth month  Extension - Fourth month  Extension - Fourth month  Extension - Fourth month (Small Entity)  Extension - Fifth month  Extension - Fifth month (Small Entity)  Petition  S130  S130	Reissue independent claims (Small Entity)	\$42	\$43
Provisional application filing fee \$160 \$160° Provisional application filing fee (Small Entity) \$80 \$80° Surcharge - Late provisional filing fee \$50 \$50° Surcharge - Late provisional filing fee (Small Entity) \$25 \$25° Non-English Specification \$130 \$130° Extension - First month \$110 \$110° Extension - First month (Small Entity) \$55 \$55° Extension - Second month \$410 \$420 Extension - Second month (Srnall Entity) \$205 \$210 Extension - Third month \$930 \$950 Extension - Third month (Small Entity) \$465 \$475 Extension - Fourth month \$1,450 \$1,480 Extension - Fourth month (Small Entity) \$725 \$740 Extension - Fifth month (Small Entity) \$985 \$1,005 Petition \$130 \$130°	Reissue claims in excess of twenty	•	\$18*
Provisional application filing fee (Small Entity) \$80 \$80* Surcharge - Late provisional filing fee \$50 \$50* Surcharge - Late provisional filing fee (Small Entity) \$25 \$25* Non-English Specification \$130 \$130* Extension - First month \$110 \$110* Extension - First month (Small Entity) \$55 \$55* Extension - Second month \$410 \$420 Extension - Second month (Srnall Entity) \$205 \$210 Extension - Third month \$930 \$950 Extension - Third month (Small Entity) \$465 \$475 Extension - Fourth month \$1,450 \$1,480 Extension - Fourth month (Small Entity) \$725 \$740 Extension - Fifth month (Small Entity) \$985 \$1,005 Petition \$130 \$130*	Reissue claims in excess of twenty (Small Entity)	\$9	\$9*
Surcharge - Late provisional filing fee Surcharge - Late provisional filing fee (Small Entity) Surcharge - Late provisional filing fee Surcharge - Late provision filing fee Surcharge - Late provision filing fee Surcharge - Late provision filing fee Substance - First month Surcharge - Late provision filing fee Substance - First month Substance -	Provisional application filing fee		
Surcharge - Late provisional filing fee (Small Entity)       \$25       \$25*         Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month       \$410       \$420         Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Provisional application filing fee (Small Entity)	\$80	\$80*
Non-English Specification       \$130       \$130*         Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month       \$410       \$420         Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*		\$50	\$50*
Extension - First month       \$110       \$110*         Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month       \$410       \$420         Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Surcharge - Late provisional filing fee (Small Entity)	\$25	\$25*
Extension - First month (Small Entity)       \$55       \$55*         Extension - Second month       \$410       \$420         Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Non-English Specification	\$130	\$130*
Extension - Second month       \$410       \$420         Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - First month	\$110	\$110*
Extension - Second month (Srnall Entity)       \$205       \$210         Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - First month (Small Entity)	<b>\$5</b> 5	\$55*
Extension - Third month       \$930       \$950         Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - Second month	\$410	\$420
Extension - Third month (Small Entity)       \$465       \$475         Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - Second month (Srnall Entity)	\$205	\$210
Extension - Fourth month       \$1,450       \$1,480         Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - Third month	\$930	\$950
Extension - Fourth month (Small Entity)       \$725       \$740         Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - Third month (Small Entity)	\$465	\$475
Extension - Fifth month       \$1,970       \$2,010         Extension - Fifth month (Small Entity)       \$985       \$1,005         Petition       \$130       \$130*	Extension - Fourth month	\$1,450	\$1,480
Extension - Fifth month (Small Entity) \$985 \$1,005 Petition \$130 \$130*	Extension - Fourth month (Small Entity)	\$725	\$740
Extension - Fifth month (Small Entity) \$985 \$1,005 Petition \$130 \$130*	•	\$1,970	\$2,010
Petition \$130 \$130*			
	•	\$130	
	Processing returned checks	\$50	\$50°

For further fee information, please call (703-308-HELP)